



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
**NORTHEAST REGION**  
One Blackburn Drive  
Gloucester, MA 01930-2298

January 31, 2004

### **Small Entity Compliance Guide**

Dear Limited Access Northeast (NE) Multispecies Permit Holder:

This letter is to inform you that the National Marine Fisheries Service (NOAA Fisheries) is allowing vessels **a one-time opportunity to change Category B Regular Days-at-Sea (DAS) used during any trip into the Closed Area (CA) II Yellowtail Flounder Special Access Program (SAP) prior to the implementation of Framework 40-A to the NE Multispecies Fishery Management Plan on November 19, 2004, to Category B Reserve DAS.**

This decision was arrived at based on concerns raised during public outreach meetings held to inform vessels of the measures included in Framework 40-A. At those meetings, NOAA Fisheries was informed that some vessel owners may have been unaware of the potential implications of using their Category B Regular DAS prior to the implementation of Framework 40-A. Some vessel owners chose to use Category B Regular DAS to fish in the CA II Yellowtail Flounder SAP upon the implementation of Amendment 13, instead of using Category B Reserve DAS and saving their Category B Regular DAS to use once Framework 40-A was implemented. This decision to allow vessels a one-time opportunity to change Category B Regular DAS used prior to the implementation of Framework 40-A into Category B Reserve DAS is intended to allow vessels to take advantage of newly implemented Category B Regular DAS programs under Framework 40-A during the 2004 fishing year.

If you have any questions or concerns about this policy to allow vessels to change Category B Regular DAS used to Category B Reserve DAS, please contact Peter Cooper at (978) 281-9122.

Sincerely,

*for* Patricia A. Kurkul  
Regional Administrator

This small entity compliance guide complies with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

